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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,) 2:05-CV-00057 LKK KJM
12 Plaintiff,) FINAL JUDGMENT OF FORFEITURE
13 v.)
14 APPROXIMATELY \$7,304.00 IN)
15 U.S. CURRENCY,)
16 Defendant.)
17

18 Pursuant to the Stipulation for Final Judgment of
19 Forfeiture, the Court finds:

20 1. This is a civil forfeiture action against approximately
21 \$7,304.00 in U.S. Currency (hereinafter "defendant currency")
22 seized from claimant on or about July 20, 2004, in Stockton,
23 California, within the Eastern District of California, by the San
24 Joaquin County Metropolitan Narcotics Task Force and the Drug
25 Enforcement Administration.

26 2. A Complaint for Forfeiture In Rem (hereafter
27 "Complaint") was filed on or about January 5, 2005, seeking the
28 forfeiture of the defendant currency, alleging that said currency

1 is subject to forfeiture to the United States pursuant to 21
2 U.S.C. § 881(a)(6).

3 3. On or about January 10, 2005, the Court issued a
4 Warrant of Arrest In Rem for the defendant currency, and that
5 warrant was duly executed on January 12, 2005.

6 4. On or about January 18, 2005, copies of the Complaint,
7 Summons and Warrant of Arrest In Rem, Affidavit, Application and
8 Order for Publication, and court notices were personally served
9 on claimant.

10 5. On or about January 28, 2005, a Public Notice of Arrest
11 of defendant currency appeared by publication in The Record, a
12 newspaper of general circulation in the county in which the
13 defendant currency was seized (San Joaquin County). The Proof of
14 Publication was filed with the Court on February 9, 2005.

15 6. Claimant filed a verified claim to the defendant
16 property and an Answer to the Complaint on February 8, 2005. No
17 other parties have filed claims or answers in this matter, and
18 the time for which any person or entity may file a claim and
19 answer has expired.

20 7. Claimant represents and warrants that he is the sole
21 owner of the defendant currency.

22 Based on the above findings, and the files and records of
23 the Court, it is hereby

24 ORDERED AND ADJUDGED:

25 1. The Court adopts the Stipulation for Final Judgment of
26 Forfeiture entered into by and between the parties to this
27 action.

28 2. Judgment is hereby entered against claimant Joseph

1 Ferrari and all other potential claimants who have not filed
2 claims in this action.

3 3. Upon entry of a Final Judgment of Forfeiture, \$3,652.00
4 of the \$7,304.00 in U.S. Currency, together with any interest
5 that may have accrued on \$3,652.00, shall be forfeited to the
6 United States pursuant to 21 U.S.C. § 881(a)(6), to be disposed
7 of according to law.

8 4. Upon entry of a Final Judgment of Forfeiture herein, but
9 no later than 60 days thereafter, \$3,652.00 of the \$7,304.00 in
10 U.S. Currency, together with any interest that may have accrued
11 on \$3,652.00, shall be returned to claimant. The U.S. Marshals
12 Service shall issue a check in the amount of \$3,652.00, plus any
13 accrued interest, made payable to Joseph Ferrari, and shall send
14 it to Joseph Ferrari, Register # 15265-097, P.O. Box 47401, Des
15 Moines, Iowa 50947-0001.


16 5. Plaintiff United States of America and its servants,
17 agents, and employees and all other public entities, their
18 servants, agents, and employees, are released from any and all
19 liability arising out of or in any way connected with the
20 arrest/seizure or forfeiture of the defendant currency. This is
21 a full and final release applying to all unknown and
22 unanticipated injuries, and/or damages arising out of said
23 arrest/seizure or forfeiture, as well as to those now known or
24 disclosed. The parties waive the provisions of California Civil
25 Code § 1542.

26 6. Pursuant to the stipulation of the parties, and
27 allegations set forth in the Complaint for Forfeiture *In Rem*
28 filed January 5, 2005, the Court finds that there was reasonable

1 cause for the seizure and arrest of the defendant currency and a
2 Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465
3 shall be entered accordingly.


4 7. All parties are to bear their own costs and attorneys'
5 fees.

6 SO ORDERED THIS 21st day of February, 2008.

7
8 
9 LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

10 CERTIFICATE OF REASONABLE CAUSE

11 Pursuant to the Stipulation for Final Judgment of Forfeiture
12 filed herein and the allegations set forth in the Complaint for
13 Forfeiture *In Rem* filed January 5, 2005, the Court enters this
14 Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465,
15 that there was reasonable cause for the seizure and arrest of the
16 defendant currency.

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19 LAWRENCE K. KARLTON
20 SENIOR JUDGE
UNITED STATES DISTRICT COURT
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